

## NOTICES OF HEARINGS

## COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on Wednesday, July 22, 1998, at 9 a.m. in SR-328A. The purpose of this meeting will be to examine the Y2K computer problem as it relates to agricultural business and other matters.

## COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs and the House Committee on Resources will meet during open session on Wednesday, July 22, 1998, at 9 a.m. to conduct a joint hearing on S. 1770, to evaluate the Director of Indian Health Service to Assistant Secretary for Health and Human Services; and H.R. 3782, Indian Trust Fund Accounts. The hearing will be held in room 106 of the Dirksen Senate Office Building.

Those wishing additional information should contact the Committee on Indian Affairs at 202/224-2251.

## AUTHORITY FOR COMMITTEE TO MEET

## COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Monday, July 20, 1998, at 4 p.m. to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDITIONAL STATEMENTS

## TRIBUTE TO KENJI SUMIDA UPON HIS RETIREMENT AS PRESIDENT OF THE EAST-WEST CENTER

• Mr. INOUE. Mr. President, on behalf of myself and Senator DANIEL K. AKAKA, I would like to say a few words about Mr. Kenji Sumida who is retiring next month from the post of President of the East-West Center in Honolulu, Hawaii. The East-West Center is a national education and research institution established by the United States Congress in 1960 to promote better relations and understanding among the nations of Asia, the Pacific and the United States.

During his tenure as President of the East-West Center, Mr. Sumida effectively led the Center through a particularly difficult period of reduced funding and budget cuts while maintaining and building upon the Center's reputation as the premiere United States institution dealing with major issues in the Asia-Pacific region. He substantially increased the visibility of the Center in Washington, DC and reached out to the Center's many alumni in the United States and throughout the Asia-Pacific region.

In addition to his leadership role at the East-West Center, Mr. Sumida has served his native State of Hawaii in numerous other capacities, including high-ranking administrative posts at the University of Hawaii, the State of Hawaii, and City and County of Honolulu; director of administration of the Pacific International Center for High Technology Research; and chief of staff and commander of the Hawaii Air National Guard, retiring with the grade of Brigadier General. His long-standing involvement and commitment to numerous community service activities is commendable.

In all of his pursuits, Kenji Sumida has worked tirelessly and conscientiously to create bonds of friendship, respect and mutual understanding in his home state and the nation, as well as with our neighbors in Asia and the Pacific.

We would like to acknowledge and pay tribute to Kenji Sumida for an outstanding career of service to our great nation and to extend our best wishes in his retirement. ●

## THERE THEY GO AGAIN: WILL TRIAL LAWYERS STIFLE YEAR 2000 SOLUTIONS?

• Mr. FAIRCLOTH. Mr. President, I rise to address the imminent wave of Year 2000 lawsuits that will flood our courts and enrich thousands of trial lawyers at the expense of American consumers. I also rise to commend President Clinton for his announcement that he will propose legislation to shield businesses from lawsuits based on information shared in efforts to solve these so-called Y2K problems.

Based on the information that I have received, I believe that his approach is too narrow, but it is a step in the right direction.

It is a step away from greedy trial lawyers and litigation towards creative computer programmers and solutions.

We face the so-called millennial glitch—the Year 2000 problem—because most software programs cannot recognize dates after December 31, 1999.

Over the past twenty years, to save computer memory that was prohibitively expensive, programmers shortened the date field in software programs to hold only the last two digits of the year.

This glitch will cause computer systems to malfunction and to crash if these programs are not rewritten and fixed. Certainly, this is a major problem, one that has sent computer programmers scrambling for solutions.

This is one of the most important issues before businesses, Mr. President, and the costs of Y2K compliance are estimated to be hundreds of billions of dollars. The junior Senator from Utah, Mr. BENNETT, is to be commended for his fine work on the Year 2000 subcommittee.

We will face computer chaos if these problems are not resolved before the clock strikes midnight on December 31,

1999. We are looking at the possibility of power outages, frozen bank accounts, even the specter of a global recession.

Unfortunately, though, the solutions are not all clear.

The efficient exchange of information among the involved parties—programmers, computer companies, and consumers—is critical. We will never find solutions if all parties are not free to exchange all the relevant information.

There is, however, a major hurdle to this critical exchange of information—the trial lawyers. The trial lawyers are excited by this Year 2000 problem.

The Gartner Group, a consulting firm, estimates that the costs of the Y2K fix will run up to \$600 billion, but that the legal costs—the trial lawyer taxes—may explode to one trillion dollars.

Yes, Mr. President, \$1 trillion for litigation.

The projected trillion dollars in legal fees is yet another “trial lawyer tax” that greedy plaintiffs’ lawyers impose on the American people in the form of increased costs inevitably passed on to consumers.

The only jobs that the trial lawyers will create with their Year 2000 lawsuits are in the Lear jet factory as the orders come rolling in from these millionaire trial lawyers.

The trial lawyers see another problem to exploit for financial gain, another opportunity for personal enrichment at the expense of the nation.

The justifiable fear that businesses have of these trial lawyers is actually slowing down efforts to solve these critical problems.

The Washington Post reported that, “Many companies have resisted exchanging technical advice with one another, delaying the pace of repair work, because they fear costly litigation if the information they provide inadvertently turns out to be inaccurate.”

So, if the Social Security checks are late and the power gets turned off because computer companies cannot share information with the Federal government, you can thank the trial lawyers and their greed.

The headlines may proclaim that the Social Security Administration is well along in its Year 2000 progress, and it is amongst the more responsive agencies, about 90 percent of the way to getting its computers ready.

However, Mr. President, the Treasury Department—not the Social Security Administration—prints Social Security checks. The bad news is that Treasury is amongst the least responsive federal agencies to the Y2K issue.

I hope that trial lawyers’ greed won’t leave older Americans shivering in the cold on New Year’s Day in the year 2000 because everyone was too afraid of being sued to work together on a solution.

As I said, the threat of a tidal wave of expensive litigation is shutting down the exchange of information, which is

essential to a resolution of this issue. Further, however, the stampede of trial lawyers to the courthouse is also contributing to a shortage of qualified staff to deal with the issue.

Many specialized firms that could work on this issue—firms with the technical expertise to do this job—are, in fact, avoiding it because they fear that they will become the target of the trial lawyers.

The pattern is a familiar one. Trial lawyers, many of whom sue on a contingent fee basis that guarantees them a fixed percentage of their client's award, look for the parties with the "deep pockets." A company with deep pockets is likely to be sued even if its systems are working properly.

It's the old "supply chain": if a supplier, partner, or customer winds up with a Year 2000 problem, then the lawsuits will likely ripple all the way through the supply chain.

One lawyer involved in this Year 2000 litigation observed that, if the problem drives the suppliers and customers into bankruptcy, the plaintiffs are likely to sue "everyone standing around the dead body."

The lawyers are getting ready, Mr. President, and there have been litigation summits in California.

In fact, Bill Lerach, known for the securities "strike suits" that prompted reform legislation, is already filing Year 2000 lawsuits. He even filed one against Symantec Corporation, the maker of the popular Norton Anti-Virus software. Symantec is a golden oldie for Mr. Lerach. He sued this company in 1994 in one of his self-described "favorite" securities lawsuits.

This outstanding member of the plaintiffs' bar even sued the pop singers "Milli Vanilli" for lip-synching its songs. He sued on behalf of fans who felt betrayed.

This courtroom crusader also sued Ragu for selling a "fresh Italian" salad dressing that wasn't fresh or Italian.

This is a man who paid \$64,000 in fines for breaking electoral laws and paid court fines due to his lawsuit antics.

It's time to choose, Mr. President, between these trial lawyers and the average Americans.

Do we stand with Mr. Lerach and his greedy band of litigators or with the regular people who just want solutions to a problem that threatens their parents' Social Security checks?

I commend President Clinton for his proposal. I believe that we need something far more broad, but it is a first step, and I am ready to move forward.

Let's tell the trial lawyers and their Gucci-loafed lobbyists that we stand with the American people, not the special interests.

I'm worried about the Social Security checks getting out on time, not the court papers getting in on time.

I want solutions, not lawsuits. I'm looking out for the American people and their interests, not the trial lawyers and the special interests.

The trial lawyers want to turn the Year 2000 issue into a lawsuit "House of Horrors" but I'm here to deny them a building permit.●

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

#### ANNIVERSARY OF THE INVASION OF CYPRUS

● Ms. MIKULSKI. Mr. President: Twenty four years ago today, Turkish troops invaded and divided the nation of Cyprus. This illegal and immoral division of Cyprus continues today—dividing a country and creating instability in the Mediterranean.

During the early days of the Turkish occupation, six thousand Greek-Cypriots were killed. Over two hundred thousand were driven from their homes. Many of the missing, including some Americans, have never been accounted for.

Little has changed in the past quarter century. Today, forty thousand Turkish troops remain in Cyprus. The Greek-Cypriots who remain in the northern part of the island are denied basic human rights such as the right to a free press, freedom to travel, and access to religious sites.

I am disappointed that we have made no progress in ending the occupation of Cyprus. Earlier this year, there were reasons to be hopeful. We thought that possible European Union membership would make Turkey more receptive to peace talks, but Turkey is not on the short list for EU membership—and Turkey responded by imposing preconditions on any negotiations. So we are far as ever from a peaceful solution for Cyprus.

This year, as we mark this somber anniversary, I urge my colleagues to join me in recommitting ourselves to bring peace to Cyprus.

First of all, we must continue to make the resolution of the Cyprus problem a priority. President Clinton and Secretary of State Albright have focused more attention on this region than any other Administration. Ambassador Richard Holbrooke and Ambassador Tom Miller have done an excellent job trying to bring both sides together. As Ambassador Holbrooke assumes his new responsibilities at the United Nations, we must encourage the Administration to replace him with an emissary of equal stature.

The secondary priority is that we must continue to provide humanitarian assistance to the people of Cyprus. Each year, Congress provides fifty million dollars to foster bicomunal cooperation in Cyprus. These funds are used for education, health care, and to help both communities to solve regional problems—such as to improve water and energy supplies.

The third priority is that Congress should pass the Enclaved People of Cyprus Act. Senator OLYMPIA SNOWE and I introduced this legislation to call for improved human rights for the Greek Cypriots living under Turkish control.

Mr. President: The crisis in Cyprus has brought two NATO allies to the brink of war. The occupation is also a human tragedy that should enrage all of us who care about human rights. I urge my colleagues to continue to work toward a peaceful and unified Cyprus.●

#### AFRICA SEEDS OF HOPE ACT

● Mr. ABRAHAM. Mr. President, I rise to co-sponsor S. 2283 the Africa Seeds of Hope Act. This bill offers us a rare opportunity to improve a people's way of life. Introduced by my colleagues Senator DEWINE and Senator SARBANES, the Africa Seeds of Hope is landmark legislation that will help feed a continent, but more importantly provide the people of that continent with the tools of self-sustenance. This bill not only validates our judgement as good legislators, but challenges us to a higher standard.

S. 2283 designates organizations such as the U.S. Agency for International Development and the Overseas Private Investment Corporation to support rural finance, agricultural research, and food security programs to increase food production and the capital of small scale African farmers and entrepreneurs. It also provides women, the facilitators of agricultural growth in Africa, with improved resources to expedite development. Financial support for this program would emanate from a presently existing account and would not require any new funds to be allocated.

Mr. President, at this point I would like to note a few crucial statistics that are often overlooked, and that are shocking, particularly in comparison with our own fortunate state. Today, on the brink of the 21st Century and the new millennium, 215 million African men, women and children go hungry. This is happening, Mr. President, at a time during which the United States spends about one-half of 1 percent of the federal budget on foreign aid. And only one-tenth of 1 percent of that limited budget aids Africans, with a declining part going to agricultural development. If Africa is to achieve any kind of food security, international agencies tell us, it must triple its food supply by the year 2050. Africa cannot achieve this huge expansion on its own.

The global economy, for better and worse Mr. President, links together every nation and every people on this earth. We no longer have the option, if we ever did, of closing our doors and shutting out any people, let alone an entire continent. Support for the Africa Seeds of Hope constitutes support for our own economy, our own people and our own principles. It will provide, not just meals and nutrition for a week or a month, but the chance for a continent to rise and feed itself and eventually gain self-sustenance.

I urge my colleagues to support this important legislation.●